

REMARKS

Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow.

With this Amendment, Claims 1 and 9 have been amended; no Claims have been canceled; and, no Claims are new. A detailed listing of all claims that are, or were, in the Application, irrespective of whether the claims remain under examination in the Application, is presented, with appropriately defined status identifiers. Thus, Claims 1-11, 13-15 and 18-29 remain pending in the Application.

Support for the amendments to Claim 1 can be found in the disclosure in at least allowable claim 8. No new matter has been added.

Interviews

Applicants thank the Examiner for the interviews extended to Applicants' representative on February 1, 2010, where the final rejection of November 25, 2009 was withdrawn and a new action promised; and March 3, 2010 where Applicants suggested providing unexpected result over the AT reference and suggested that it would overcome the rejection under AT/RU. Examiner stated he would not be able to speculate on the unexpected results since it had not yet been submitted. The unexpected results would be considered once filed. However, Applicants need some additional time to submit the laboratory results showing unexpected results.

Claims objections and allowable subject matter

Applicants thank the Examiner for indicating that claims 8 and 13 are objected to as allegedly being dependent upon a rejected base claim, but that they would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

Claims rejections under 35 U.S.C. § 103

The outstanding Official Action has rejected claims 1-5, 19, and 20 under 35 U.S.C. § 103 as allegedly being unpatentable over Thonhauser (AT408987, hereinafter AT) and further in view of Serpokrylov (RU 2191163, hereinafter RU).

The outstanding Official Action has rejected claims 9-11, 13-15, 18, and 22-29 under 35 U.S.C. § 103 as allegedly being unpatentable over AT/RU as applied to claim 1, and further in view of the alleged “admitted” prior art.

The outstanding Official Action has rejected claims 6, 7, and 21 under 35 U.S.C. § 103 as allegedly being unpatentable over AT/RU as applied to claims 1 and 9, and further in view of Wegner (U.S. Patent Publication No. 2003/0151024).

These rejections are respectfully traversed.

Claim 1 now includes the family of compounds recited in claim 8. In deciding that claims 8 and 13 would be allowable over the prior art, the Examiner has stated: “Claims 8 and 13 are allowable because applied prior art doesn’t describe the composition contains such claimed concentrations of each component as cited in claims 8 and 13.” Applicants respectfully submit that the cited prior art not only does not describe that the composition contains such claimed concentrations of each component as cited in claims 8 and 13, but the cited prior art also does not disclose the ingredients of the composition as recited in claim 1. Therefore, the pending obviousness rejections should be withdrawn as all dependent claims depend directly or indirectly from claim 1.

Claims rejections under 35 U.S.C. § 112

The outstanding Official Action has rejected claims 9-11, 13-15, 18, 20, and 21 under 35 U.S.C. 112second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

This rejection is respectfully traversed and should be withdrawn as all of the claims use the term “[a]n agent” or “the agent” and no longer use the term “the cleaning,

disinfecting, and indicator agent.” Please note that the agent could be a solution, but is not necessarily just a solution.

CONCLUSION

In view of the above amendment, Applicants believes the pending application is in condition for allowance. The Director is authorized to charge any fees necessary and/or credit any overpayments to Deposit Account No. 03-3975, referencing Docket No. 085523-0381114.

Respectfully submitted,

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